

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF LANCASTER

George E. Patterson, Complainant	:	Sworn Statement
v.	:	& Affidavit
Bernard Doe, d/b/a/ Freedom Used Cars, Respondent	:	
	:	

On this 20<sup>th</sup> day of February, 2009 before me, the undersigned officer, personally appeared Benjamin Burgos known to me (or satisfactorily proven) to be the person whose name is subscribed below, who being duly sworn accordingly to law, does depose and say:

1. My name is Benjamin Burgos.
2. I am a Hispanic man.
3. I live at 652 Hamilton Street, Lancaster PA 17603.
4. I have known George E. Patterson ("George") for four years.
5. George is a young African American man.
6. On or about January 22, 2009, George was at my house.
7. He used my home telephone to call the Freedom Used Car dealership located in East Petersburg, Pennsylvania.
8. I heard him call the dealership about the availability of a 2002 745 BMW that George saw advertised in the *Auto Exchange*.

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9. After George hung up the phone, he asked me if I wanted to go with him to see the car.
10. We left right away.
11. It took less than 10 minutes to arrive at the dealership.
12. When we arrived, George and I exited the car and walked to the dealership to look at the car.
13. We waited for several minutes until someone walked out to greet us.
14. It appeared as though the person ("dealer") who walked out to greet us was the owner of the dealership and as though he walked from his home.
15. George asked the dealer if we could take the car for a test run.
16. The dealer informed us that he already sold the car.
17. George responded that he had just called less than twenty minutes ago and the car was still for sale at the time.
18. The dealer said that someone was coming to get the car now.
19. George said that he wanted to buy the car and he had a check.
20. George protested that he had called about the car first.
21. The dealer said he knew the people who were coming to get the car and they had the money.
22. I said, "This guy is a racist!"
23. The dealer did not respond.
24. George said, "Let's get out of here."
25. We returned to our car and left the dealership.

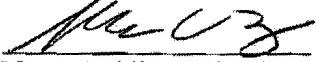
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26. On the way back to my house, we talked about the incident.
27. George was upset by the incident and he did not believe the dealers statement that the car was sold.
28. We both commented that we thought the dealer was racist and he had refused to sell George the car because George is African American.
29. George called his friend, Jim Bachman, and told him about the incident.
30. George asked Jim to call the dealer and ask about the availability of the car.
31. George also spoke with me that evening about a similar incident had happened at this car dealership in 2008.
32. I remembered the 2008 incident as well.
33. In 2008, George had called this same dealer and asked about the cost of a jeep that was advertised in the *Auto Exchange*.
34. Over the phone, the dealer informed George that he would sell the jeep for \$8,000.
35. When George arrived at the dealership, and tried to purchase the jeep, the same person who was acting as the dealer in January 2009 told George that the price for jeep was \$12,000.
36. George objected and told the dealer that he had told him the price over the phone was \$8,000.
37. The dealer refused to sell the car for the price previously quoted.
38. I believe the dealer acted in a racially discriminatory manner when he refused to sell the BMW to George and when he raised the price of the jeep after he quoted a lower price to George over the phone.

39. I also believe the dealer acted in a racist manner when he refused to sell the BMW to George.

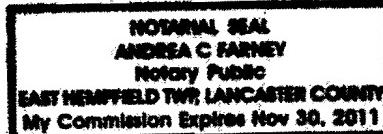
Sworn and subscribed to  
before me the date and  
year aforesaid.

  
Notary Public: Andrea Farney

  
Name: Benjamin Burgos

My commission expires:

11/30/11



Affidavit of Benjamin Burgos

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## **EXHIBIT E**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF LANCASTER

George E. Patterson, Complainant	:	Sworn Statement
v.	:	& Affidavit
Bernard Doe, d/b/a/ Freedom Used Cars, Respondent	:	
	:	

On this 20<sup>th</sup> day of February 2009, before me, the undersigned officer, personally appeared James R. Bachman, III known to me (or satisfactorily proven) to be the person whose name is subscribed below, who being duly sworn accordingly to law, does depose and say:

1. My name is James R. Bachman, III.
2. I live at 180 Anchor Road, Elizabethtown PA 17022.
3. My cell phone number is 717-475-2444.
4. I am a white male.
5. I have known George E. Patterson ("George") for a little over three years.
6. George is an African-American male.
7. On or about January 22, 2009, I received a cell phone call from George sometime in the late afternoon or early evening.
8. He told me that he was trying to buy a car at a car lot in East Petersburg, Pennsylvania.

9. He told me that the sales person at the dealership told him that the car George wanted to buy was no longer for sale.
10. George told me he was suspicious that this was not true and that the dealer refused to sell him the car because he is African American.
11. George asked me to call the dealership and ask about the car.
12. I was in the grocery store at the time, so I grabbed *Auto Exchange* newspaper and looked up the car lot George had identified, Freedom Used Cars in East Petersburg, Pennsylvania.
13. The advertisement had two phone numbers listed, 581-0575 and a cell number, 717- 203-7523.
14. Within minutes of George's call to me, I called the car lot and asked whether the car was still available.
15. The person who answered the phone ("dealer") told me the car was available.
16. The dealer was hard to understand because he had a thick accent.
17. I asked the dealer what condition the 2002 745 BMW was in.
18. The dealer responded that it was in good condition.
19. I asked the dealer how many miles were on the car.
20. The dealer responded that there were either 104,000 or 140,000 miles on the car.
21. I asked about the condition of the interior.
22. The dealer told me it looked like it just came off the show room floor.
23. I asked him where he was located.

24. The dealer told me that his lot was near the Nissan Dealership in East Petersburg, Pennsylvania.

25. I informed the dealer that I would not be able to look at the car that night, but I would like to come down and look at the car the next day.

26. The dealer agreed that it would be fine to look at the car the next day.

27. The dealer never told me that the car was not available or that someone else was looking at the car or on their way to pay for the car.

28. The next day I travelled with George and my 12-year-old daughter to the dealership in East Petersburg.

29. I parked the car in the lot beside the dealership and George stayed in the car while I walked over to look at the same car George had asked about the night before.

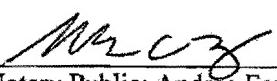
30. I walked towards the dealer and looked for the 2002 745 BMW.

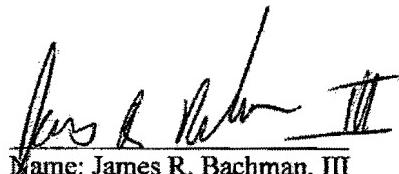
31. The dealer approached me and we spoke about the car.

32. I do not believe the dealer saw that George was in the car.

33. The dealer never told me that someone else wanted the car or that someone was coming to pay for the car.

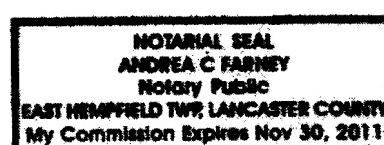
Sworn and subscribed to  
before me the date and  
year aforesaid.

  
Notary Public: Andrea Farney

  
Name: James R. Bachman, III

My commission expires:

11/30/11



Affidavit of James R. Bachman, III

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